



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/076,840
Applicants	:	Murphy et al.
Filed	:	15 Feb 2002
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Examiner	:	Ton, Thaian N.
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Confirmation No. 2776

# FIRST CLASS MAIL CERTIFICATE

I hereby certify that this paper is being deposited on this date with the U. S. Postal Service as first class mail addressed to the Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.

Yingzi Yang

6/27/05

Date \_\_\_\_\_

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A “PRIOR” PATENT**

The owner, Regeneron Pharmaceuticals, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,586,251 and 6,596,541 as the term of said prior patents is defined in 35 U.S.C. 154 and 173, and as the term of said prior patents is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successor or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior

patents, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:  
expires for failure to pay a maintenance fee;  
is held unenforceable;  
is found invalid by a court of competent jurisdiction;  
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;  
has all claims canceled by a reexamination certificate;  
is reissued; or  
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record. Reg. No. 35,127.

The Commissioner is hereby authorized to charge Deposit Account Number 18-0650 in the amount of the terminal disclaimer fee under 37 CFR 1.20(d) of \$130.

Respectfully submitted

  
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